

Office of Professional Accountability (OPA)

Commendations & Complaints Report

July 2003

Commendations:

Commendations Received in July: 55

Commendations Received to Date: 507

Rank	Summary
Detectives (4)	Commendation for outstanding collaborative work on a cold case investigation from 1982. The diligent investigative effort and innovative approach has brought the suspect to justice.
Detective (1)	Fourteen-year Detective has led the Narcotics Section in arrests, seizures, recoveries and directing control/undercover buys. This individual is firm and compassionate when working with informants and the community and exhibits the utmost professionalism as a narcotics investigator. Recently, the Detective assisted in the solving of a homicide. He is one of the most dedicated, conscientious and hard working detectives we have worked with.
Officers (6)	The security measures provided by your officers ensured a safe environment for a high profile leader on during trip to the Seattle area. The professionalism displayed by officers was of the highest caliber and reflected favorably upon each individual and the entire Department.
Officers (2)	Officers assisted a woman when an unpleasant and sensitive situation occurred. The Officers were kind, understanding, professional and polite.
Officer (1)	Officer assisted when kids threw rocks and cracked the windshield of a vehicle.
Civilian (1)	Commendation for SPD bi-lingual volunteer to provide translation of materials for the recent TOPOFF exercise. The volunteer responded with professionalism, acting quickly and with little notice.
Lieutenant (1) Sergeant (1) Officer (1)	Presented information and discussed drug prevention with four classrooms at a local school. The students respected the officers message, loved the presentation and it was a topic of conversation for the rest of the school year. SPD's community outreach is important and makes a difference to the youth in the area.
Sergeant (1)	Sergeant participated in an out-reach program for career alternatives for students of all ages and ethnic backgrounds.
Lieutenant (2) Officers (3) 911 staff	Citizen extended her appreciation and thanks for the good work of three Officers, two Lieutenants and 911 staff responding to a car prowler call.
Officer (1)	A stolen vehicle that was equipped with "LoJack" recovery system was recovered in nine minutes. The officer's attention to duty in the LoJack activation and his ability to track the car shows great skill on his part and a thorough knowledge of the LoJack tracking process.
Parking Enforcement Officer (1)	A Parking Enforcement Officer provided assistance to a citizen in a stalled vehicle in traffic. The officer was thoughtful, caring and followed-up with a visit the next day. It is very gratifying to know there are such caring people in the Seattle Police Department.
Officers (2)	Two officers saw an unconscious male in a vehicle and immediately began resuscitation efforts. The two officers are an example of the caliber of police officers that work daily on the streets.
Parking Enforcement Officer (1) Sergeant (1)	A Parking Enforcement Officer and a Sergeant assisted a stranded vehicle and provided jumper cables to start the car.
Officers (2)	Two officers who acted in a most professional and courteous manner when

	assisting me with difficulties should be commended. The Officers are a credit to the Seattle Police Department and instill confidence in all police.
Officers (2)	An elderly female was hurt in a traffic accident and two Officers assisted. The officers were helpful, courteous and expeditious in contacting family members and calling an ambulance. It was a great comfort having such kind consideration from the Officers during this traumatic time.
Officer (1)	An out of state visitor was lost and an officer went out of his way to assist. The officer was totally professional, courteous and helpful. The visitor was impressed with the officer and willingness to help a stranger visiting from out of state.
Officer (1)	A community group invited an officer to their year-end picnic. The Officer spoke to approximately 60 people of all ages and everyone was impressed with the presentation.
Dispatcher (1)	Received the Washington State Chapter of APCO's 2002 Telecommunicator of the Year award from the Mayor of Seattle in the category of Exemplary Handling of a Critical Incident.
Sergeant (2) Officers (3) VST (2)	Two sergeants, three officers and two volunteers responded to a domestic violence call in progress and found a significant amount of narcotics. Despite a language barrier, an investigation was developed and an arrest was made. The professionalism, expertise and dedication of all involved was appreciated and all individuals involved were safe.
Officers (4)	Four officers responded to an in progress residential burglary and the subject was caught fleeing the residence with stolen property on his person.
Officers (4)	Four officers responded to a domestic violence call in which a female was injured and a child was being taken by his father. The officers were able to bring the suspect under control without the child being hurt.
Officer (1)	An elderly resident from a retirement home was lost/stuck in a wheelchair a good distance from the home. An officer assisted and consoled and transported the individual and wheelchair back to the facility.
Officer (1)	An officer prevented vandalism of a stolen vehicle. The Officer scared the vandals away.
Officer (1)	Officer assisted Coast Guard with two intoxicated boaters with weapons were involved. The officer was extremely helpful and professional.

July 2003 Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

Cases are reported by allegation type. One case may be reported under more than one category.

UNNECESSARY FORCE

Synopsis	Action Taken
Complainant alleged excessive force was used by the named officers during his arrest for burglary.	Evidence in the investigation showed that the subject ran from officers and was tackled after a short foot pursuit. The subject continued to struggle and resist. The force used by the officers was documented, screened, and reported. Finding – EXONERATED.
Complainant alleged unnecessary force by either SPD officers or private security guards.	The evidence established that the complainant was intoxicated, abusive and combative when he was escorted out of a private facility for assaulting others. Testimony of independent witnesses and of the complainant's own witnesses does not support his allegations of unnecessary force; he failed to cooperate in the investigation; and no evidence supported any misconduct by SPD employees. Finding – ADMINISTRATIVELY UNFOUNDED.

Complainant alleged the named officer scratched the subject's chest while the subject was being escorted from her house.	The investigation produced no evidence to substantiate this claim. The incident report documented that no scratch was visible; the subject's credibility is questionable; and the subject failed to cooperate with the investigation. Finding – ADMINISTRATIVELY UNFOUNDED.
Complainant alleged that officers used unnecessary force on her client during his arrest	Objective evidence established that the officers used minimal and necessary force to control the subject. Finding – EXONERATED.
Complainant alleged the named officer used unnecessary force on her friend while she was being detained at a precinct. The complainant also alleged the officer made inappropriate comments.	Investigation showed complainant and subject were both under arrest for assault. Both were intoxicated, and the subject was combative. The subject did not cooperate with the investigation. The evidence shows the named officer applied minimal and appropriate force in response to subject's actions. Based on the complainant's lack of credibility and intoxication, there is no evidence to support the claim of inappropriate remarks. Findings: Unnecessary Force – EXONERATED; Conduct Unbecoming an Officer – UNFOUNDED.
Complainant alleged an officer used unnecessary force when she was escorted from a park.	The investigation showed that the subject was intoxicated at the time of the incident, gave conflicting information, lied to investigators, and waited six months to make a serious allegation. An independent witness present the entire time confirmed that the named officer used no force and was professional every way. Finding – UNFOUNDED.
Complainant alleged force and derogatory language during his arrest on drug charges.	The complainant, and the five witnesses whose names he provided, failed to respond to repeated requests for contact. The complainant's allegations to OPA-IS differed substantially from those he made to the sergeant at the precinct. Photos show no injuries, which would be inconsistent with the allegations made. Both officers state that no significant force was used, nor did they make any derogatory comments. Findings: Unnecessary Force – UNFOUNDED; Conduct Unbecoming an Officer – UNFOUNDED.
Complainant alleged that named officers used unnecessary force during his arrest and transport. The complainant's brother alleged an unknown employee told him the complainant was being taken to jail because he expressed an intent to report the incident.	Thorough investigation showed the complainant was drunk, belligerent, and interfered with officers performing official duties. Witnesses to the incident do not support his claim of unnecessary force, and the complainant's credibility is questionable. Finding as to named employees – UNFOUNDED and EXONERATED. The claim of interference with reporting misconduct has no merit. The witness who made the allegation failed to cooperate with the investigation, and the subject denies ever discussing reporting the incident. Finding – UNFOUNDED.
Complainant alleged she was pulled over for no reason and thrown to the ground and arrested.	The investigation showed that the named officer had detailed, documented probable cause for the stop. The subject was subsequently cited for expired tabs. In addition, the evidence showed the subject was combative, hostile, and hysterical, and that appropriate force was used to remove the subject from the car and place her on the ground to gain control. The force used was documented, screened, and reported. Findings: Unnecessary Force – EXONERATED; Misuse of Authority – UNFOUNDED.
Complainant alleged unnecessary	Investigation showed that the subject was not credible and

force was used in his arrest for theft of a backpack from a police facility.	did not want to pursue the complaint. There is no evidence of officer misconduct. Finding – ADMINISTRATIVELY UNFOUNDED.
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SAFEGUARDING/MISHANDLING EVIDENCE/PROPERTY

Synopsis	Action Taken
Complainant alleged personal property was missing after his release from jail following arrest.	Evidence produced in the investigation substantiated the complainant's allegation that the property was missing. The personal property was documented and logged by arresting officers. Evidence did not show, however, whether the property was transported with the complainant to jail or lost, misplaced, or stolen <u>at</u> the jail. While there was not convincing evidence of mishandling, the issue of accountability for evidence was addressed and new procedures put in place. The complainant was also given information regarding how to file a claim for his lost property. Finding – NOT SUSTAINED.

CONDUCT UNBECOMING AN OFFICER

Synopsis	Action Taken
Complainant alleged the named officer used profanity to a passenger in her vehicle during a traffic stop.	The named officer admitted to using the profanity in a moment of frustration, and acknowledged that the use was unprofessional. Finding – SUSTAINED.
Complainant alleged an officer confronted him regarding a traffic incident and made rude and profane comments.	The initial complaint was vague, and the subject would not cooperate with the investigation. The officer could not be identified. Finding – ADMINISTRATIVELY UNFOUNDED.
Complainant alleged the named officer contacted him, pulled his arm behind him, threatened to arrest him, and destroyed his business license.	The evidence did not substantiate any part of the allegation. A purported witness did not respond to requests for contact. Records show the complainant did not have a business license the date of the incident. Finding – UNFOUNDED.
Complainant alleged the named officer, while working off duty, used binoculars to look through the windows of a private residence.	Evidence substantiated that the officer was out of his assigned area and was not attentive to his duties. Finding – SUSTAINED.

FAILURE TO TAKE APPROPRIATE ACTION

Synopsis	Action Taken
Complainant alleged a dispatcher was rude and did not send a call for police response when he called to report an accident.	Investigation showed that the dispatcher was firm, but not rude. The dispatcher did, however, violate policy when she failed to request a dispatch as requested by the complainant. Findings: Rudeness – NOT SUSTAINED; Failure to Take Appropriate Action – SUSTAINED.

Definitions of Findings:

“Sustained” means the allegation of misconduct is supported by a preponderance of the evidence.

“Not sustained” means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

“Unfounded” means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

“Exonerated” means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

Referred for Supervisory Resolution.

Training or Policy Recommendation means that there has been no willful violation but that there may be deficient policies or inadequate training that need to be addressed.

“Administratively Unfounded/Exonerated” is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee's actions were found to be justified, lawful and proper and according to training.

“Administratively Inactivated” means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

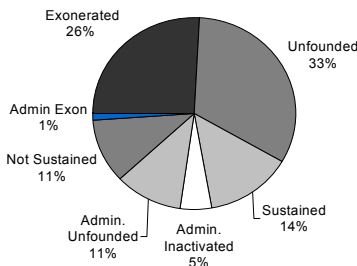
Status of OPA Contacts to Date:

2002 Contacts

	December 2002	Jan. - Dec. 2002
Contact Logs	50	573
Cases Assigned for Supervisory Review	11	104
Cases Assigned for Investigation (IS; LI)	17	201
Cases Closed	12	180*
Commendations	27	1,416

*includes 2002 cases closed in 2003

CHART A
Dispositions of Allegations in Completed Investigations
2002 Cases
N=355 Allegations in 180 cases



2003 Contacts

	July 2003	Jan-Dec 2003
Preliminary Investigation Reports	34	337
Cases Assigned for Supervisory Review	7	45
Cases Assigned for Investigation (IS;LI)	20	104
Commendations	55	507